IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

-

WRIT PETITION NO : 3033 of 1996

Between:

G.Narayana Reddy, S/o. Uma Reddy,
Anthergaon, Now Residing at Gangadharam, Karimnagar Dist.

..... PETITIONER

AND

1 The Vice Chairman and Managing Director, A.P. State Federation of

Cooperative Spinning Mills Limited, Hyderabad-500 001.
2 The Managing Director, Sri Raja Rajeshwara Coop.Spinning Mills Ltd
Peddur (V), Sircilla-505 301. Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, particularly one in the nature of writ of Mandamus Declaring the action of the 2nd respondent in refusing to implement the proceedings Rc. No. 2079/91/D dated 28-8-1995 of the 1st Respondent and in not admitting the petitioner to join duty in Sri Raja Rajeshwara Cooperative Spinning Mills Limited, Sricilla as wholly illegal, arbitrary, discriminatory and violative of Articles 14,16 and 21 of the constitution of India.

Counsel for the Petitioner:MR.M.PANDURANGA RAO

Counsel for the Respondent No.1: Mrs.K.N.Visajaya Lakshmi

Counsel for the Respondent No.2: Mr.G.Siva Kumar

The Court made the following:

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ORDER:

It is represented by Sri M.Pandurangarao, learned counsel for the petitioner that the first respondent-A.P. State Federation of Cooperative Spinning Millis Limited, has gone into liquidation and a liquidator has also been appointed. The writ petition is directed against the refusal of the second respondent-an administrative subordinate of the first respondent, to implement the orders of the first respondent dated 28-08-1995 and refusing to admit the petitioner to join duty on deputation terms.

The petitioner is a Clerk appointed in the Karimnagar Cooperative Spinning Mills Limited, Anthergaon. On closure of the Anthergaon unit, he was deputed to work in the second respondent-spinning mills by the order of the first respondent, dated 28.08.1995. The second respondent has not given effect to the said order. Hence, the writ petition.

No mandamus can be issued to direct the second respondent to implement the administrative orders of the
first respondent. Even if the first respondent were to be considered as a State or other authority within the meaning of Article 12 of the Constitution of India, its administrative directives to the second respondent are not judicially enforceable. The writ petition is devoid of merits and is accordingly dismissed. No costs. However, the petitioner is at liberty to pursue appropriate remedies.

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GODA RAGHURAM, J

November 17, 2004.

YCR

To

1 The Vice Chairman and Managing Director, A.P. State Federation of

Cooperative Spinning Mills Limited, Hyderabad-500 001.

2 The Managing Director, Sri Raja Rajeshwara Coop.Spinning Mills

Ltd, Peddur (V), Sircilla-505 301. Karimnagar District.

3. 2 C.D. copies.